

**STATEMENT OF BASIS (AI No. 3043)**

for draft Louisiana Pollutant Discharge Elimination System permit No. **LA0006751** to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Ochsner Clinic Foundation  
Ochsner Health System  
1514 Jefferson Highway  
New Orleans, LA 70121

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Lisa Kemp

**DATE PREPARED:** February 19, 2010

**1. PERMIT STATUS****A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

**B. LPDES permits –**

LPDES permit effective date: July 1, 2005  
LPDES permit expiration date: June 30, 2010  
EPA has not retained enforcement authority.

**C. Date Application Received: October 22, 2009; additional information was received on November 5, 2009 and November 23, 2009****2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - hospital**

This facility is an existing hospital. The discharge is non-contact cooling water pumped from the Mississippi River and used in the air conditioning system. According to the application, no additives are used in the river water intake. Sanitary wastewater, boiler blowdown, and all other hospital wastewater is discharged to the Jefferson Parish Treatment Plant.

**B. FEE RATE**

1. Fee Rating Facility Type: minor
2. Complexity Type: 1 per LAC 33:IX.1315.A.3
3. Wastewater Type: I
4. SIC code: 8062, 4522

**C. LOCATION - 1514 Jefferson Highway, in Jefferson, Jefferson Parish\***  
Latitude 29° 57' 09", Longitude 90° 08' 45"

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- \* Because Ochsner Clinic Foundation and Ochsner Health System have merged, the street address has changed from 1516 Jefferson Highway to 1514 Jefferson Highway. The facility is located in Jefferson, Jefferson Parish; however, the mailing address is New Orleans, LA.

### 3. OUTFALL INFORMATION

Outfall 001 - the discharge of stormwater and helicopter washwater, was deleted in the previous permit because the applicant no longer does any type of maintenance, fueling, or washing of helicopters on site.

#### Outfall 002

Discharge Type:	once through non-contact cooling water
Treatment:	none
Location:	at the point of discharge from the pipe located near the central plant, prior to combining with other waters
Flow:	23.6 MGD maximum flow (2 pumps rated at 8200 gpm each); normally two pumps are operated from May through October and 1 pump is operated November through April.
Discharge Route:	via pipe to the Mississippi River

### 4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

### 5. TMDL STATUS

Subsegment 070301, Mississippi River - from Monte Sano Bayou to Head of Passes, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

### 6. CHANGES FROM PREVIOUS PERMIT

1. Because Ochsner Clinic Foundation and Ochsner Health System have merged, the street address has changed from 1516 Jefferson Highway to 1514 Jefferson Highway.

### 7. COMPLIANCE HISTORY/COMMENTS

- A. Inspection - An inspection conducted on December 8, 2008 revealed that the facility has been submitting a single DMR where the data is the average for entire quarter instead of submitting monthly DMRs (3 DMRs/quarter) as required by the permit.

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- B. OEC – There are no open, appealed, or pending OEC enforcement actions as of February 15, 2010. A notice of deficiency was issued to the facility on December 7, 2009 as a result of an inspection conducted on December 8, 2008. A deficiency clear letter was issued on December 21, 2009.
- C. DMR Review/Excursions – DMRs were reviewed for the period December, 2007 through December, 2009. No excursions from permit limits were noted, however, the permit specifies that the facility submit monthly DMRs quarterly. The facility has been submitting a single DMR where data is the average for the entire quarter.

*Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.*

## 8. EXISTING EFFLUENT LIMITS

### Outfall 002 - once through non-contact cooling water

Pollutant	Limitation		Frequency
	Monthly Avg.	Daily Max	
	Mg/L (unless stated)		
Flow (MGD)	Report	Report	1/month
Temperature (°F)	---	Report	1/month
pH (standard units)	6.0 (min)	9.0 (max)	1/month

## 9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

## 10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the

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Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

#### **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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### Rationale for Ochsner Clinic Foundation

1. **Outfall 001** - once through non-contact cooling water (estimated maximum flow is 23.6 MGD)

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	Mg/L (unless stated)		
Flow (MGD)	Report	Report	LAC 33:IX.2707
Temperature (°F)	---	Report	Previous permit, similar discharges* (BPJ), LAG480000
pH, s.u.	6.0 (min)	9.0 (max)	Previous permit, similar discharges* (BPJ), LAG480000

**Treatment:** none

**Monitoring Frequency:** 1/month at the point of discharge from the pipe located near the central plant, prior to combining with other waters

**Limits Justification:** Limits and monitoring frequencies are based on the previous permit, current guidance for similar discharges from other facilities, and the Light Commercial General Permit, LAG480000 effective August 1, 2001.

\* Existing permits for similar outfalls

BPJ      Best Professional Judgement  
 su       Standard Units

#### NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

### STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

In accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 8062 are not considered to be associated with industrial activities. Facilities classified as SIC code 4522 are not considered to have storm water discharges associated with industrial activity unless they have "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." This facility does not have vehicle maintenance shops and equipment cleaning operations. Therefore, an SWP3 is not included in the permit.